

APPROVED

City of York Planning Commission

May 26, 2020

Minutes

*****Virtual Meeting*****

Members present:

Chairperson Wendy Duda
Arthur Lowry
Betty Johnson
Ron Parrish
Amanda Berry
Francine Mills
Matt Hickey

Members absent:

Others present:

Planning Director Breakfield
Zoning Administrator Blackston
Shaun Gasparini
Brandon Pridemore
James Patterson
Lorraine Stewart

Chairperson Wendy Duda called the meeting to order at 3:02 pm, verbally polled individual Commission members to confirm attendance and stated the following:

1. Due to the COVID-19 pandemic, York City Council adopted an emergency ordinance allowing meetings to be conducted exclusively through the use of electronic, computer-based medium.
2. The City has chosen to conduct the meeting through the use of GoToMeeting while streaming on Facebook Live.
3. The willingness of everyone to adapt to this new environment and adjust to the new format is greatly appreciated.
4. Each Commission member must individually vote by voice on each Motion (yay or nay).
5. Any Commission member that wishes to abstain from a vote must state the reason for such abstention.
6. Each person should be identified before speaking.
7. Each person should mute microphone unless speaking.

The first item of business was approval of the draft Minutes from the February 27, 2020 meeting. Upon a Motion by Betty Johnson, seconded by Ron Parrish, the Commission unanimously approved the draft Minutes as submitted.

The second item of business was a home occupation application for 25 Green Street for a company that offers directional drilling and boring. The applicants wanted to use an area in their home as an office for administrative work for the business. The Commission unanimously tabled the application to the next available meeting due to the applicant not being present to discuss the application.

The third item of business was a zoning amendment application to allow flea markets subject to special exception approval in the B1 – Central Business District.

Planning Director Breakfield indicated the following regarding the application:

1. As with any such request, the Planning Commission must review the request and then make a recommendation regarding the matter to York City Council. City Council will then review the application and the Planning Commission recommendation and ultimately make a final decision on the issue.
2. In order to recommend approval of the requested change, you would need to find that a flea market business (subject to special exception review) fits the character of the B1 district. Per the zoning ordinance, the B1 district is to be developed and reserved for local or "Main Street" oriented business purposes. The regulations which apply within this district are intended to (1) encourage the formation and continuance of a stable, healthy, and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping service facilities; (2) reduce traffic and parking congestion; (3) avoid the development of "strip" business districts; and, (4) discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.
3. After reviewing the application, it seemed that a flea market subject to special exception review would be an appropriate use for the downtown area (the special exception caveat would allow the Board of Zoning Appeals to review each project on a case-by-case basis); therefore, City staff recommended that the requested zoning amendment be approved. For review and discussion, City staff prepared the draft ordinance provided in your meeting packet.

Upon a Motion by Arthur Lowry, seconded by Betty Johnson, the Commission unanimously recommended that the zoning amendment application be approved per the submitted draft ordinance.

The fourth item of business was a rezoning request to remove Local Historic District designation from property referenced by tax map Id # 070-13-02-006 and located near the corner of South Congress Street and California Street.

Planning Director Breakfield indicated the following regarding the application:

1. We received a rezoning application to amend the Official Zoning Map by removing the Local Historic District zoning designation from property referenced by tax map Id # 0701302006 and located near the corner of South Congress Street and California Street.
2. The Planning Commission must review such rezoning applications and make a recommendation to York City Council. Ultimately, City Council would review and make a final decision on the matter. In this case, the application involves the local historic district overlay; therefore, the Board of Architectural Review (BAR) must provide feedback on the issue.
3. At its April 14th meeting, the BAR reviewed and unanimously recommended that the application be denied. The BAR indicated a desire to maintain the integrity of the local historical district in that area of the City since the area serves as a main gateway into the City's historical core. It was noted that the City would lose substantial design purview of any proposed project if the historic overlay was removed from the property.

Upon a Motion by Ron Parrish, seconded by Arthur Lowry, the Commission unanimously recommended that the application be denied for reasons stated by the BAR in its prior decision.

Planning Commission member Amanda Berry joined the meeting.

The fifth item of business was a special exception application for the proposed single family dwelling, Phase 5 development of Austen Lakes Subdivision.

Planning Director Breakfield indicated the following regarding the application:

1. The subject property is located in a R5 – Multifamily Residential zoning district.
2. In a R5 – Multifamily Residential zoning district, single family dwelling subdivisions are allowed only by special exception approval.
3. The applicant submitted the attached special exception application/drawings for a proposed 66-lot, single family dwelling, Phase 5 section of the existing Austen Lakes Subdivision. As with any special exception application for the R5 district, the Planning Commission must review the application and then render a recommendation to the Board of Zoning Appeals. The Board of Zoning Appeals will then hold a public hearing to consider the application and the Planning Commission recommendation and ultimately render a final decision on the matter.
4. I informed that applicant that the Planning Commission (PC) and Board of Zoning Appeals (BZA) endeavor to be consistent in the review of such special exception applications and that, in furtherance of this goal, the PC and BZA have requested that City staff review and identify plan concepts that may differ from principles utilized in previously-approved similar submittals as well as the potential effects on adjacent development. With that being said, after reviewing the application, City staff provided the following comments to the applicant:
 - *The proposed Phase 5 appears to have a housing density that is much greater than that being developed in Phases 1-4. For comparison purposes, please calculate the overall housing density for Phases 1-4. Proposed lot sizes for Phase 5 are correspondingly smaller as well when compared to Phases 1-4.*
 - *The proposed housing density for Phase 5 is greater than single family dwelling projects recently approved through the special exception process (+/- 3.5 units per acre).*
 - *The proposed project does not include elevated architectural design standards included in recent approvals. If you would like to discuss particular examples, just let me know. In particular, the proposed increased housing density compared to the other project phases and other recent projects could lead to discussion of elevated design standards.*
 - *The originally-approved concept for the overall project called for:*
 - *A proposed minimum roof pitch of 6/12 for the overall project (4/12 is noted in this proposal).*
 - *If buildings exceed 30 feet in height, roads shall be increased to 26 feet clear width per IFC requirements.*

- *Phase 5 to include multifamily housing per City requirements in place at the time of application submittal.*
 - *Phase 5 to include amenities consisting of a club house and swimming pool (if these amenities are not proposed at this time, what recreational amenities are proposed instead?)*
5. In response to City staff comments, the applicant submitted the written response and drawings provided in your meeting packet. The applicant chose not to change anything related to housing density, architectural standards (other than minimum roof pitch) or recreational amenities. As an example, amenities could include a picnic shelter, gazebo, etc. along the walking trail near the lake.
6. As you review the proposal, please be mindful of the following special exception criteria:
- The proposed design and location of the particular development.
 - The possible traffic-generating characteristics of the proposed development.
 - The effects of the proposed development on the present or intended character of the area in which it is proposed for location.
 - The availability of public utilities, facilities and services.

Upon a Motion by Ron Parrish, seconded by Betty Johnson, the Commission unanimously tabled the item until the next meeting to give the applicant more time to address the concerns referenced by the Commission members. The Commission advised the applicant to revise the plan with lower housing density, quality open space amenities and higher architectural standards for the homes.

There being no further business, the meeting was adjourned at 4:25 pm.

Respectfully submitted,

C. David Breakfield, Jr. MCP, AICP
Planning Director

cc: File – Planning Commission 5/26/2020
Seth Duncan, City Manager